

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

2626 SOUTH LOOP WEST, LP, BY §
AND THROUGH CHAPTER 11 §
BANKRUPTCY TRUSTEE, TRENT L. §
ROSENTHAL, §

Plaintiff, §

v. §

CIVIL ACTION NO. H-10-4316

LIBERTY MUTUAL FIRE INSURANCE §
COMPANY, LIBERTY MUTUAL INS. §
CO., AMERICAN ECONOMY INS. CO., §
and JOHN DOES 1-10, §

Defendants. §

ORDER

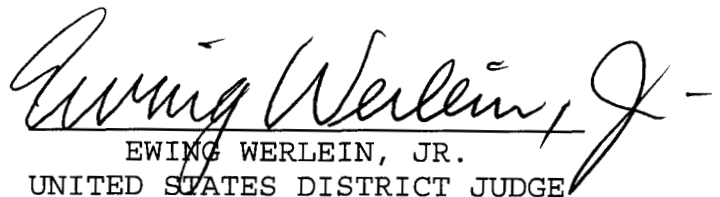
For the purposes of a diversity inquiry, the citizenship of a limited partnership depends on the citizenship of all its partners. See Carden v. Arkoma Assocs., 110 S. Ct. 1015, 1018 (1990); Corfield v. Dallas Glen Hills, LP, 355 F.3d 853, 856 n.3 (5th Cir. 2003). Moreover, citizenship of a limited partnership must be traced through each layer of the partnership, however many there may be. See Meyerson v. Harrah's E. Chi. Casino, 299 F.3d 616, 617 (7th Cir. 2002) (per curiam); accord Kinder Morgan Liquids Terminals, LLC v. Ponns & Co., No. CIV. A H-06-3225, 2006 WL 3691192, at *2 (S.D. Tex. Dec. 12, 2006) (Rosenthal, J.). Because Defendants Liberty Mutual Fire Insurance Company, Liberty Mutual Insurance Company, America First Insurance Company, and American Economy Insurance Company removed this action from state court on

the basis of diversity of citizenship, with Defendants assuming Plaintiff is a citizen of Texas, it is necessary to ascertain Plaintiff's actual citizenship. Accordingly, to permit the Court to examine whether potentially it has diversity jurisdiction in this case, it is

ORDERED that the parties, within fourteen (14) days after the entry of this Order, shall submit a joint verified report identifying each partner in Plaintiff 2626 South Loop West, LP's limited partnership together with proof as to the citizenship of each such partner, including, if applicable, all layers of partnership.¹

The Clerk will enter this Order and provide a correct copy to all parties.

SIGNED at Houston, Texas, on this 16th day of December, 2010.


EWING WERLEIN, JR.
UNITED STATES DISTRICT JUDGE

¹ If one of the partners is an unincorporated association, the citizenship of that unincorporated association must be traced through each layer of the association, however many there may be. See Meyerson v. Harrah's E. Chicago Casino, 299 F.3d 616, 617 (7th Cir. 2002) (per curiam).